

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

BOBBY TART and wife, LORRETTA TART,)
Individually and ESTATE OF ROBERT WALTER)
TART, by Personal Representatives Bobby Tart and)
Loretta Tart)

Plaintiff(s))

v.)

JOHN DOES CORRECTIONAL OFFICERS,)
JANE DOES CORRECTIONAL OFFICERS,)
BENDELL BARTHOLOMEW, CARROLL)
COUNTY SHERIFF, STEPHEN UNDERWOOD,)
CARROLL COUNTY JAILER, TERRY DICKY,)
CHIEF DEPUTY, TOMMY DECANTES,)
Individually and in their official capacity; and)
CARROLL COUNTY SHERIFF'S OFFICE AND)
CARROLL COUNTY, TENNESSEE)

Defendants)

No: 1-05-1056- T/An

FILED BY S D.C.
05 JUL 20 AM 8:13
THOMAS W. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

RULE 16(b) SCHEDULING ORDER

Pursuant to the Scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)):

Have been previously exchanged by the parties

JOINING PARTIES:

For Plaintiff: September 29, 2005
For Defendant: October 29, 2005

AMENDING PLEADINGS

For Plaintiff: September 29, 2005
For Defendant: October 29, 2005

COMPLETING ALL DISCOVERY: March 29, 2006

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS**
FOR ADMISSIONS: March 29, 2006

Entered 07/20/05 (E)

(24)

- (b) **EXPERT DISCLOSURE (RULE 26(a)(2)):**
 - (i) Plaintiff's Experts: January 29, 2006
 - (ii) Defendant's Experts: March 1, 2006
 - (iii) Supplementation under Rule 26(e)(2): March 10, 2006

(c) **DEPOSITIONS OF EXPERTS:** March 29, 2006

FILING DISPOSITIVE MOTIONS: March 7, 2006

FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: April 24, 2006
- (b) for Defendant: May 8, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26 (a)(3).

The trial of this matter is expected to last three (3) days and is **SET** for **JURY TRIAL** on **Wednesday, June 7, 2006** at 9:30 A.M. A joint pre-trial order is due on **Friday, May 26, 2006**. In the event the parties are unable to agree on a joint pre-trial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a

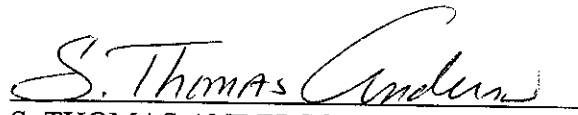
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

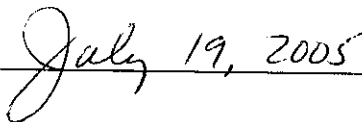
The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: 

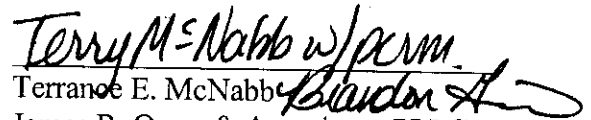
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Attorneys for Plaintiffs



Notice of Distribution

This notice confirms a copy of the document docketed as number 24 in case 1:05-CV-01056 was distributed by fax, mail, or direct printing on July 20, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT